

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MARIE TOOLE AND	)	
CHRIS TOOLE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NUMBER
	)	2:06-CV-652-VPM
ALFA MUTUAL INSURANCE CO;	)	
MATTHEW CHUPP;	)	
DON BRAMLETT, Fictious Defendants A-F	)	
	)	
Defendants.	)	

**PLAINTIFF'S RULE 26(a)(2) EXPERT DISCLOSURES**

COME NOW the Plaintiffs, by and through their attorney, and submit the following information regarding expected expert testimony.

1. Dr. Bruce Hall, Plaintiff Marie Toole's orthopedic surgeon, performed rotator cuff surgery on Plaintiff Marie Toole as a result of the injuries she sustained in the automobile wreck which forms the basis of the Plaintiffs' complaint. It is expected that Dr. Hall will testify as to the referral to Southern Bone & Joint Specialist from Dr. Jeff Bush, Ms. Toole's family physician, of Ms. Toole after she was involved in a motor vehicle collision on July 9, 2004.

2. It is expected that Dr. Hall will testify, through the Plaintiffs' submission of his deposition, which has yet to be taken, that his partner in the Southern Bone & Joint Specialist orthopedic practice, Dr. William Hanson, provided the original necessary medical care, evaluation and treatment to Ms. Toole for approximately a year prior to his performing surgery on Ms. Toole's shoulder. All of the records that the Plaintiffs have or know about regarding the

injury and medical care received by the Plaintiff have previously been turned over to the Defendant.

3. It is expected that Dr. Hall will testify, through his deposition, that he relied upon Dr. Hanson's previous medical findings and treatment in evaluating Ms. Toole pre and post surgery.

4. It is expected that through Dr. Hall, the Plaintiff will offer the medical records of Dr. Jeff Bush, as those are contained in the medical files of Dr. Hall's medical practice known as Southern Bone and Joint Specialist, as well as those of Dr. William Hanson, Dr. Hall's orthopedic partner and Dr. Hall's own records, all of which are kept in the normal course of business of Southern Bone & Joint Specialist, showing that the medical care and expenses Ms. Toole received and incurred were reasonable and medically necessary for the injuries she sustained as a result of the wreck on July 9, 2004.

5. It is expected that Dr. Hall will testify, through his deposition, that the automobile wreck on July 9, 2004 caused the rotator cuff injury and other bodily injuries Ms. Toole suffered. It is expected that Dr. Hall will testify, through his deposition, that his orthopedic group regularly refers patients to Covenant Rehab in Eufaula, Alabama for post surgery rehabilitation of injuries. It is expected that Dr. Hall will testify, through his deposition, that he did in fact refer Ms. Toole to Covenant Rehab in Eufaula, Alabama for post surgery rehabilitation and that the rehabilitation and expenses involved were reasonable and medically necessary for the injuries she sustained.

6. It is also expected that Ms. Laurie White, the primary certified physical therapist at Covenant Rehab, will be called to testify at trial that she is a certified physical therapist and she is the person who provided rehabilitation therapy to Ms. Toole at the request of Dr. Bruce Hall and Dr. William Hanson from Southern Bone & Joint Specialist.

7. It is also expected that both Dr. Hall and Ms. White will testify as to their opinion as

to Ms. Toole's future reasonable expectation of any additional orthopedic and rehabilitation treatment or limitations she might suffer from the injuries she received on July 9, 2004.

WHEREFORE, the Plaintiff believes that although the expected testimony of Dr. Bruce Hall and Ms. Laurie White will not be elicited from retained expert testimony, nevertheless, it is expert testimony from a treating physician and or specialist that has direct bearing on the cause, extent and treatment of Plaintiff Toole's injuries and the Plaintiffs have provided all documentation to the Defendants that the Plaintiffs have in their possession and on which it is expected these treating experts will rely in giving their opinion and testimony.

(s) Jim S. Calton, Jr.  
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document by placing same in the U.S.mail, postage paid January 8, 2007 and properly addressed and electronically emailed to.

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This the 8 day of January, 2007.

(s) Jim S. Calton, Jr.  
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OF COUNSEL